



KENTUCKY EMERGENCY RESPONSE COMMISSION

Kentucky Emergency Management Agency

BIMONTHLY
NEWSLETTER

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Recent Policy Approvals:

- *KERC Policy 003-2018– Policy on LEPC Procurement*

KERC Forms Updates:

- *LEPC Form: 503-MM (Local Emergency Planning Committee Meeting Minutes) template– **REQUIRED FORM***
- *LEPC Form: 510-ORRR (Open Records Request Response) template– **RECOMMENDED FORM***
- *LEPC Form: 504-MA (Local Emergency Planning Committee Meeting Agenda) template– **OPTIONAL FORM***

KERC Notifications:

KERC administrative staff will send all LEPC Forms and KERC Policies in an email with attachments for documentation of transaction.

Q&A:

Question– Can an LEPC use a debit card linked to the LEPC account?

Answer– LEPCs may not obtain and use debit cards linked to the LEPC bank account. If the LEPC already has a debit card linked to the LEPC account, the LEPC must discontinue the use and destroy the card immediately.

Question– Do bank statements need to be submitted to the LEPC Dashboard even if there was no activity for the time period?

Answer– LEPCs must submit bank statements to the LEPC Dashboard, at least, on a quarterly basis. Statements must be submitted even if there is no activity for the time period.

Question– Where should my 2018 bank statements and LEPC Meeting Minutes be uploaded?

Answer– Bank statements and meeting minutes are submitted for the prior calendar year. All 2018 bank statements and meeting minutes should be uploaded to the 2019 LEPC boards. At this point, all updates should be made in the 2019 LEPC board.

KERC Contacts:

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KERC Program Manager

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Notes from the September KERC Meeting:

- There was one (1) new policy passed that will affect LEPCs. KERC Policy 003-2018– Policy on LEPC Procurement rescinded KERC Policy 002-2017– Policy on LEPC Procurement. (KERC Policy 003-2018– Policy on LEPC Procurement attached)
- The KERC Grants Committee is currently updating the KERC Approved Expenditures for LEPC Grant Funds list. The updated list will be distributed after the November 2018 KERC meeting.
- LEPCs can expend funds with no further prior approval if the expenditure meets all the following criteria:
 1. Items must be listed on the KERC Approved Expenditures for LEPC Grant Funds list.
 2. Items must be listed on your LEPC Detailed Budget with an LEPC Budget Spending Justification completed at the time of submission to the LEPC Dashboard.
 3. The total cost of the items, or multiples of the same item, cannot exceed \$5,000.
- LEPC Grant Funds have not been distributed. The contract is under review, and will be sent to eligible LEPCs as soon as possible.
- Per Kentucky Finance guidelines, IDSi International must participate in a bid process representing the Tier II Manager Software. Timeline will prohibit use of a new Tier II system for the 2019 reporting year. Reporting for the upcoming year will remain the same as previous years. Please share this information with your Tier II facilities. Training will be available once a program has been purchased and is ready for testing and use.
- Per page four of the LEPC Contract, checks written from the LEPC account must have two signatures.
- LEPCs are being provided with a template to use when responding to an Open Records Request. The template provides only required information to be given in a request. The template can be found on SharePoint. (Open Records Request Response template attached)
- LEPCs are now required to use LEPC Form: 503-MM (Local Emergency Planning Committee Meeting Minutes). The form is a template for LEPC Meeting Minutes. The goal is to have all LEPC Meeting Minutes uniform in layout. LEPC Form: 503-MM can be found on SharePoint. (LEPC Form: 503-MM attached)

KERC Meeting Minutes: To request a copy of KERC meeting minutes, email Tiffany Sizemore at tiffany.r.sizemore.nfg@mail.mil. Minutes must be approved by the KERC before release.

Upcoming KERC Meeting Dates:

Wednesday, November 20, 2018, 10:00am-2:00pm
On-Site Registration begins at 9:00am
Department of Housing, Buildings, and Construction
101 Sea Hero Road, Suite 100
Frankfort, KY 40601



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LEPC Documentation Deadlines:

January

- No later than January 31, publish public information on committee activities entitled "Public (Legal) Notice Advertisement"

****Note:** LEPCs must meet at least twice per year (once if no EHS in the planning district) and upload meeting minutes to the Kentucky LEPC Dashboard with thirty (30) days of the meeting.

February

- No later than February 28, in the Kentucky LEPC Dashboard, upload a photocopy of the "Public (Legal) Notice Advertisement" published. The name and the date of the newspaper must be clearly shown.

March

- Facilities must submit by March 1: 1) Their annual Tier II Reports; AND 2) A Facility Annual Certification Letter (FACL)

****Note:** The FACL must state: 1) There are no changes to the EHS Plan; OR 2) The EHS Plan has been revised and the revisions are included with the FACL.

April

- No later than April 1, review the EHS Facility Emergency Response Plans and fill out an Annual Certification Letter (ACL) in the Kentucky LEPC Dashboard stating: 1) There were no changes; OR 2) The plan has been revised and revisions are included with the ACL.
- Fill out the LEPC Grant Application in the Kentucky LEPC Dashboard. Print, sign, and upload the application.
- Upload documentation of expenditures, bank statements, and the LEPC Bank Ledger in the Kentucky LEPC Dashboard. Invoices and receipts should be uploaded with bank statements for the timeframe the money was spent. All bank statements should be uploaded individually.

June

- No later than June 1, fill out the LEPC Detailed Budget in the Kentucky LEPC Dashboard identifying how the funds requested on the LEPC Grant Application are to be spent.

July-August

- The KERC Fee Account Grant Fund Contract will be emailed to all eligible LEPCs. Print, sign required pages, and mail the contract to the LEPC Program Coordinator.

September

- No later than September 15, the KERC will make the KERC Fee Account Grant awards.

December

- No later than December 1, in the Kentucky LEPC Dashboard, update the LEPC Membership List and LEPC Membership Cover Page. Name, agency, email address, and phone number should be entered for all members.
- No later than December 1, in the Kentucky LEPC Dashboard, upload the LEPC Bylaws, with certification stating: 1) There were no changes; OR 2) The LEPC Bylaws have been revised and the revisions are included.
- No later than December 1, in the Kentucky LEPC Dashboard, update the LEPC Personal Property Inventory for all items valued over \$500.

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Upcoming KERC Approved Trainings and Conferences:

October 29-31, 2018 Advanced CAMEO Cincinnati/Hamilton County Regional Operations Center

****Note:** If you would like to attend a training you feel would be beneficial to your LEPC that is not listed on the KERC Approved Training List, email a request to the KERC Program Manager. The request will be forwarded to the KERC Information and Training Committee to be reviewed for approval at the next scheduled KERC meeting. If KERC approval is granted, the training will be added to the KERC Approved Training List.

Who We Are:

Kentucky adopted the Emergency Planning and Community Right-to-Know Act (EPCRA) into law through [Kentucky Revised Statutes \(KRS\) 39E](#) and the Kentucky Administrative Regulations (KAR) found in [106 KAR Chapter 1](#). EPCRA requires that every State have a State Emergency Response Commission (SERC). In Kentucky, the SERC is known as the Kentucky Emergency Response Commission (KERC).

The KERC was established to:

- Implement all provisions related to hazardous substances;
- Develop policies related to the response of state and local governments to releases of hazardous substances;
- Develop standards for planning for these events;
- Develop reporting requirements for hazardous substances;
- Provide information to the public concerning hazardous substances in the community;
- Develop training requirements; and
- Develop requirements for local governments and covered facilities to exercise plans related to hazardous substance response.

For more information on the laws and regulations governing the implementation of EPCRA in Kentucky, consult KRS 39E and 106 KAR Chapter 1 at the Kentucky Legislature website at <http://www.lrc.ky.gov/law.htm>.